

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

MIDLAND NATIONAL LIFE INSURANCE COMPANY,	:	
	:	
Plaintiff,		Case No. 3:10-cv-191
	:	
- vs -		District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
DAVID J. MANGES, SR., et al.,	:	
	:	
Defendants.		
	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #30), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ORDERED that Defendant Manges' Motion for Judgment on the Pleadings (Doc. No. 22) is GRANTED. The Cross-Claims of Defendants Sieling and Funeral Home are hereby DISMISSED with prejudice.

December 21, 2010

\*s/**THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge